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**CONSUMER GROUPS AND MEDICAL MALPRACTICE SURVIVORS
FORM UNITED FRONT AGAINST “HEALTH COURTS”**

In two separate letters to the U.S. Senate Health, Education, Labor and Pensions (HELP) Committee, four of the nation’s leading consumer groups and 40 victims of medical malpractice expressed strong objection to the concept of “Health Courts” to resolve medical malpractice claims. The HELP Committee is holding hearings on June 22 to examine several medical malpractice issues, including the fairness of using specialized Health Courts to replace judges and juries in medical malpractice cases.

According to the letter from consumer groups Alliance for Justice, Center for Justice & Democracy, Public Citizen and USAction, the options being considered by the HELP committee would eliminate the right to jury trial, replacing it with “a vaguely defined administrative bureaucracy run by political appointees charged with developing uniform schedules of compensation for specific medical injuries.” Experience with similar systems “strongly suggests that they will provide worse protection for patients than the civil justice system currently provides,” said the groups.

The victims’ letter said these proposals show “misguided concern for what is best for patients and, particularly, the most severely injured patients.” They noted, “schemes like Health Courts, which require that cases be heard in an informal setting, without the option of having either juries or unbiased judges make decisions, and with compensation judgments determined by political bodies who can be lobbied by insurance and health industry representatives, would be highly unjust. Though promising to be a quick, fair and cost-effective method of obtaining resolution, Health Courts will actually obstruct the most seriously injured patients’ path to justice.”

Copies of the letters can be found at:

Consumer group letter: <http://www.afj.org/health.courts.letter6-20-06.pdf>

Medical Malpractice survivors’ letter:

<http://www.centerjd.org/press/release/HealthCourtsLetter.pdf>

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